IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1285 OF 2005

Mukhatar Begam & Ors. ...Petitioners
vs.
State of Maharashtra & Ors. ...Respondents

ALONG WITH
WRIT PETITION NO.1286 OF 2005

Maqbool Khan & Ors. ...Petitioners
vs.
State of Maharashtra & Ors. ...Respondents

ALONG WITH
WRIT PETITION NO.2540 OF 2005

Samiulla Nurmohmed & Ors. ...Petitioners
vs.
State of Maharashtra & Ors. ...Respondents

ALONGWITH
WRIT PETITION NO.2541 OF 2005

Mithaeelal Ramnandan Maurya
and others ...Petitioners
vs.
State of Maharashtra & Ors. ...Respondents

Mr.Ramesh Rammurthy for the petitioners
Mr.Milind More,A.G.P. for the respondent Nos.1 and 3
Mr.G.D.Utangale for Respondent No.2
Mr.M.M.Vashi i/b Mr.M.P.Vashi for Respondent No.5.

CORAM:H.L.GOKHALE & A.S.OKA,JJ.
DATE : JANUARY 31,2006

P.C.:

1. These four Petitions are filed on behalf of number of hutment dwellers in the area which is being developed at

Babrekar Nagar,Kandivali, Mumbai. From the replies filed by the Respondents it is seen that some of them are accepted as eligible though they were initially not held to be eligible. This was as a result of the Authorities having looked into the documents and the claims of the Petitioners once again. As far as those who are held eligible they will have to shift to the temporary accommodation and hand over the possession of their present structures to the developer to remove them. If they will not do so, it will be open to the developer to take recourse of the law. Those who are held eligible should collect the keys of the alternative accommodation from the society within a period of one week from today failing which it will be open for the society and the developer to take further steps.

2. As far as those who are not held eligible are concerned we are not shown any document to fault the decision of the S.R.A. Hence no interference is called in that determination.

3. Petition disposed of.

(H.L.GOKHALE,J.)

(ABHAY S.OKA,J.)